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Air Pollution Regulations in State Implementation Plans: California, Riverside County

Abcor, Inc, Wilmington, MA Walden Div

Prepared for

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This document has been produced in compliance with Section 110(h)(1) of the Clean Air Act amendments of 1977. The Federally enforceable regulations contained in the State Implementation Plans (SIPs) have been compiled for all 56 States and territories (with the exception of the Northern Mariana Islands). They consist of both the Federally approved State and/or local air quality regulations as indicated in the Federal Register and the Federally promulgated regulations for the State, as indicated in the Federal Register. Regulations which fall into one of the above categories as of January 1, 1978, have been incorporated. As mandated by Congress, this document will be updated annually. State and/or local air quality regulations which have not been Federally approved as of January 1, 1978, are not included here; omission of these regulations from this document in no way affects the ability of the respective Federal, State, or local agencies to enforce such regulations.

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California

Riverside County

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California

Riverside County

by

Walden Division of Abcor, Inc.
Wilmington, Massachusetts

Contract No. 68-02-2890

EPA Project Officer: Bob Schell

Prepared for

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Air, Noise, and Radiation
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

August 1978

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Publication No. EPA-450/3-78-054-28

INTRODUCTION

This document has been produced in compliance with Section 110(h)(1) of the Clean Air Act Amendments of 1977. The Federally enforceable regulations contained in the State Implementation Plans (SIPs) have been compiled for all 56 States and territories (with the exception of the Northern Mariana Islands). They consist of both the Federally approved State and/or local air quality regulations as indicated in the Federal Register and the Federally promulgated regulations for the State, as indicated in the Federal Register. Regulations which fall into one of the above categories as of January 1, 1978, have been incorporated. As mandated by Congress, this document will be updated annually. State and/or local air quality regulations which have not been Federally approved as of January 1, 1978, are not included here; omission of these regulations from this document in no way affects the ability of the respective Federal, State, or local agencies to enforce such regulations.

There have been recent changes in the Federal enforceability of parking management regulations and indirect source regulations. The October, 1977, appropriation bill for EPA prohibited Federal enforcement of parking management regulations in the absence of specific Federal authorizing legislation. Federally promulgated parking management regulations have, therefore, been suspended indefinitely. Pursuant to the 1977 Clean Air Act Amendments, indirect source regulations may not be required for the approval of a given SIP. Consequently, any State adopted indirect source regulations may be suspended or revoked; State adopted indirect source regulations contained in an applicable SIP are Federally enforceable. More importantly, EPA may only promulgate indirect source review regulations which are specific to Federally funded, operated, or owned facilities or projects. Therefore, the Federally promulgated indirect source regulations appearing in this document are not enforceable by EPA except as they relate to Federal facilities.

Since State air quality regulations vary widely in their organization, content, and language, a standardized subject index is utilized in this document. Index listings consist of both contaminant and activity oriented categories to facilitate usage. For example, for regulations which apply to copper smelters, one might look under sulfur compounds (50.2), particulate matter process weight (50.1.1), or copper smelters (51.15). Federal regulations pertaining to a given State immediately follow the approved State and local regulations.

Additionally, a summary sheet of the information included in each comprehensive document is presented prior to the regulatory text to allow one to quickly assess the contents of the document. Specifically, the summary sheets contain the date of submittal to EPA of each revision

to the SIP and the date of the Federal Register in which the revision was either approved or disapproved by EPA. Finally, a brief description or reference of the regulation which was submitted is also included.

This document is not intended to provide a tool for determining the enforceability of any given regulation. As stated above, it is intended to provide a comprehensive compilation of those regulations which are incorporated directly or by reference into Title 40, Part 52, of the Code of Federal Regulations. Consequently, the exclusion of a Federally approved regulation from this document does not diminish the enforceability of the regulation. Similarly, the inclusion of a given regulation (for example, regulations governing pollutants, such as odors, for which there is no national ambient air quality standards) in this document does not, in itself, render the regulation enforceable.

Summary Sheet

Of

EPA Approved Regulation Changes

Riverside County APCD

Submittal Date	Approval Date	Description
6/30/72	9/22/72	All Regulations unless otherwise specified
4/21/76	7/26/77	Rules 461, 462
11/10/76	7/26/77	Rule 461

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RULES AND REGULATIONS OF THE

RIVERSIDE COUNTY AIR POLLUTION CONTROL DISTRICT

REGULATION I--GENERAL PROVISIONS

(2.0) RULE 1. Title.

These rules and regulations shall be known as the rules of the Riverside County Air Pollution Control District.

(1.0) RULE 2. Definitions.

a. Except as otherwise specifically provided in these rules and except where the context otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Chapter 2, Division 20 of the Health and Safety Code of the State of California (9/22/72).

b. Person. "Person" means any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user, owner, state or local governmental agency or public district, or any officer or employee thereof.

c. Board. "Board" means the Air Pollution Control Board of the Riverside County Air Pollution Control District.

d. Section. "Section" means section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

e. Rule. "Rule" means a rule of the Riverside County Air Pollution Control District.

f. Regulation. "Regulation" means one of the major subdivisions of the Rules of the Riverside County Air Pollution Control District.

g. West-Central Area. "West-Central Area" is defined as that portion of Riverside County lying west of the following described line:

Commencing at the intersection of the easterly line of Township 8 South, Range 11 East, S.B.B.&M. with the southerly boundary line of Riverside County.

Thence northerly along said easterly line and its northerly prolongation to the southerly line of Township 6 South, Range 11 East, S.B.B.&M.

Thence easterly along said southerly line to the intersection

thereof with the easterly line of said Township 6 South, Range 11 East;

Thence northerly along said easterly township line and its northerly prolongation to the northerly boundary line of Riverside County.

h. Air Contaminant. "Air Contaminant" includes smoke, charred paper, dust, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof. (From Section 24208)

i. Particulate Matter. "Particulate matter" is any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

j. Process Weight Per Hour. "Process Weight" is the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. "The Process Weight Per Hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

k. Dusts. "Dusts" are minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging and sweeping, or any combination thereof.

l. Fumes. "Fumes" are minute solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or generated by sublimation, distillation, calcination, or chemical reaction, when these processes create airborne particles.

m. Combustion Contaminants. "Combustion Contaminants" are solid or liquid particles discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

n. Atmosphere. "Atmosphere" means the air that envelops or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.

o. Combustible Refuse. "Combustible Refuse" is any solid or liquid combustible waste material containing carbon in a free or combined state.

p. Multiple-Chamber Incinerator. "Multiple-Chamber Incinerator" is any article, machine, equipment, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refrectories shall have a Pyrometric Cone Equivalent of at least 17, tested according to the method described in the American Society for Testing Materials, Method C-24.

q. Oil-Effluent Water Separator. "Oil-Effluent Water Separator" is any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump or other container, is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.

(2.0) RULE 3. Standard Conditions.

As used in these regulations, standard conditions are a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated to and reported at this gas temperature and pressure.

REGULATION II--PERMITS

(3.0) RULE 10. Permits Required.

a. Authority to Construct. Any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air con-contaminants, shall first obtain authorization for such construction from the Air Pollution Control Officer. An Authority to Construct shall remain in effect until the permit to operate the equipment for which the application was filed is granted or denied or the application is cancelled.

b. Permit to Operate. Before any article, machine, equipment or other contrivance described in Rule 10 (a) may be operated or used, a written permit shall be obtained for the Air Pollution Control Officer. No permit to operate or use shall be granted either by the Air Pollution Control Officer or Hearing Board for any article, machine, equipment or contrivance described in Rule 10 (a) constructed or installed without authorization as required by Rule 10 (a), until the information required is presented to the Air Pollution Control Officer and such article, machine, equipment or contrivance is altered, if necessary, and made to conform to the standards set forth in Rule 20 and elsewhere in these Rules and Regulations.

c. Posting of Permit to Operate. A person who has been granted under Rule 10 a permit to operate any article, machine, equipment, or other contrivance described in Rule 10 (b), shall firmly affix such permit to operate, and approved facsimile, or other approved identification bearing the permit number upon the article, machine, equipment, or other contrivance in such a manner as to be clearly visible and accessible. In the event that the article, machine, equipment, or other contrivance is so constructed or operated that the permit to operate cannot be so placed, the permit to operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment, or other contrivance, or maintained readily available at all times on the operating premises.

d. A person shall not willfully deface, alter, forge, counterfeit, or falsify a permit to operate any article, machine, equipment, or other contrivance.

f. Permit to Sell or Rent. Any person who sells or rents to another person an incinerator which may be used to dispose of combustible refuse by burning within the District and which incinerator to be used exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families, shall first obtain a permit from the Air Pollution Control Officer to

sell or rent such incinerator.

(2.0) RULE 11. Exemptions

An authority to construct or a permit to operate shall not be required for:

a. Vehicles as defined by the Vehicle Code of the State of California but not including any article, machine, equipment or other contrivance mounted on, within, or incorporated into the basic design of such vehicle whose operation would otherwise require a permit under the provisions of these Rules and Regulations.

b. Vehicles used to transport passengers or freight.

c. Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families.

d. The following equipment:

(1) Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units or equipment.

(2) Refrigeration units except those used as, or in conjunction with air pollution control equipment.

(3) Piston type internal combustion engines.

(4) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers.

(5) Equipment used for steam cleaning.

(6) Presses used exclusively for extruding metals, minerals, plastics, or wood.

(7) Porcelain enameling furnaces, porcelain enameling drying ovens, vitreous enameling furnaces or vitreous enameling drying ovens.

(8) Presses used for the curing of rubber products and plastic products.

(9) Equipment used exclusively for space heating, other than boilers.

(10) Equipment used for buffing (except automatic or semi-automatic tire buffers) or polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning of ceramic art work, ceramic precision

parts, leather metals, plastics, rubber, fiberboard, masonry, carbon or graphite.

(11) All sheet-fed printing presses and all other printing presses using exclusively inks containing less than 10% organic solvents, diluents or thinners.

(12) Tanks, vessels and pumping equipment used exclusively for the storage or dispensing of fresh commercial or purer grades of:

a. Sulfuric acid with an acid strength of 99 percent or less by weight.

b. Phosphoric acid with an acid strength of 99 percent or less by weight.

c. Nitric acid with an acid strength of 70 percent or less by weight.

(13) Ovens used exclusively for the curing of plastics which are concurrently being vacuum held to a mold or for the softening or annealing of plastics.

(14) Equipment used exclusively for the dyeing or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.

(15) Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in a plastic form.

(16) Crucible type or pot type furnaces with a brimful capacity of less than 450 cubic inches of any molten metal.

(17) Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.

(18) Equipment used exclusively for bonding lining to brake shoes.

(19) Lint traps used exclusively in conjunction with dry cleaning tumblers.

(20) Equipment used in eating establishments for the purpose of preparing food for human consumption.

(21) Equipment used exclusively to compress or hold dry natural gas.

(22) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

(23) Shell core and shell-mold manufacturing machines.

(24) Molds used for the casting of metals.

(25) Abrasive blast cabinet-dust filter integral conbination units where the total internal volume of the blast section is 50 cubic feet or less.

(26) Batch mixers of 5 cubic feet rated working capacity or less.

(27) Equipment used exclusively for the packaging of lubricants or greases.

(28) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes.

(29) Ovens used exclusively for the curing of vinyl plastisols by the closed mold curing process.

(30) Equipment used exclusively for conveying and storing plastic pellets.

(31) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water based adhesives.

(32) Smokehouses in which the maximum horizontal inside cross-sectional area does not exceed 20 square feet.

(33) Platen presses used for laminating.

e. The following equipment or any exhaust system or collector serving exclusively such equipment.

(1) Blast cleaning equipment using a suspension of abrasive in water.

(2) Ovens, mixers and blenders used in bakeries where the products are edible and intended for human consumption.

(3) Kilns for firing ceramic ware, heated exclusively by natural gas or liquefied petroleum gas, any combination thereof or heated electrically.

(4) Laboratory equipment used exclusively for chemical or physical analysis and bench scale laboratory equipment.

(5) Equipment for inspection of metal products.

(6) Confection coolers where the products are edible and intended for human consumption.

(7) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.

(8) Die casting machines.

(9) Atmosphere generators used in connection with metal heat treating processes.

(10) Photographic process equipment by which an image reproduced upon material sensitized to radiant energy.

(11) Brasing, soldering, or welding equipment.

(12) Equipment used exclusively for the sintering of glass or metals.

(13) Equipment used for buffing (except automatic or semi-automatic tire buffers) or polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of ceramic artwork, ceramic precision parts, leather metals, plastics, rubber, fiberboard, masonry, asbestos, carbon or graphite.

(14) Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding or turning of wood, or the pressing or storing of sawdust, wood chips, or wood shavings.

(15) Equipment using aqueous solutions for surface preparation, cleaning, stripping, etching (does not include chemical milling) or the electrolytic plating with electrolytic polishing of, or the electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals.

(16) Equipment for washing or drying products fabricated from metal or glass, provided that no volatile organic materials are used in the process and that no oil or solid fuel is burned.

(17) Laundry dryers, extractors or tumblers for fabrics cleaned with only water solutions of bleach or detergents.

(18) Foundry sand mold forming equipment to which no heat is applied.

(19) Ovens used exclusively for curing potting materials or castings made with epoxy resins.

(20) Equipment used to liquefy or separate oxygen, nitrogen or the rare gases from the air.

(21) Equipment used for compression molding and injection molding of plastics.

(22) Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

(23) Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.

(24) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

(25) Roll mills or calenders for rubber or plastics where no organic solvents, diluents or thinners are used.

(26) Vacuum producing devices used in laboratory operations or in connection with other equipment which is exempt by Rule 11.

f. Steam generators, steam superheaters, water boilers, water-heaters and closed heat transfer systems that are fired exclusively with one of the following:

(1) Natural gas.

(2) Liquefied petroleum gas.

(3) A combination of natural gas and liquefied gas.

g. Natural draft hoods, natural draft stacks or natural draft ventilators.

h. Containers, reservoirs or tanks used exclusively for:

(1) Dipping operations for coating objects with oils, waxes or greases where no organic solvents, diluents or thinners are used.

(2) Dipping operations for applying coatings of natural or synthetic resins which contain no organic solvents.

(3) Storage of liquefied gases.

(4) Unheated storage of organic materials with an initial boiling point of 300° F. or greater.

(5) The storage of lubricating oils.

(6) The storage of fuel oils with a gravity of 25° API or lower.

(7) The storage of fuel oils with a gravity of 40° API or lower and having a capacity of 10,000 gallons or less.

(8) The storage of organic liquids, except gasoline, normally used as solvents, diluents, or thinners, inks, colorants, points, lacquers, enamels, varnishes, liquid resins or other surface coatings, and having a capacity of 6,000 gallons or less.

(9) The storage of liquid soaps, liquid detergents, vegetable oils, waxes or wax emulsions.

(10) The storage of asphalt.

(11) Unheated solvent dispensing containers, unheated non-conveyorized solvent rinsing containers or unheated non-conveyorized coating dip tanks of 100 gallons capacity or less.

(12) The storage of gasoline having a capacity of less than 250 gallons.

(13) Transporting materials on streets or highways.

i. Equipment used exclusively for heat treating glass or metals, or used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing or diffusion treating of metal objects.

j. Crucible furnaces, pot furnaces or induction furnaces, with a capacity of 1000 pounds or less each, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state:

(1) Aluminum or any alloy containing over 50 percent aluminum.

(2) Magnesium or any alloy containing over 50 percent magnesium.

(3) Lead or any alloy containing over 50 percent lead.

(4) Tin or any alloy containing over 50 percent tin.

(5) Zinc or any alloy containing over 50 percent zinc.

(6) Copper.

(7) Precious metals.

k. Vacuum cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.

l. Structural changes which cannot change the quality, nature or quantity of air contaminant emissions.

m. Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.

n. Identical replacements in whole or in part of any article, machine, equipment or other contrivance where a permit to operate had previously been granted for such equipment under Rule 10.

(2.0) RULE 12. Transfer.

An authority to construct, permit to operate or permit to sell or

rent shall not be transferable, whether by operation of law or otherwise, either from one location to another, from one piece of equipment to another, or from one person to another.

(3.0) RULE 14. Applications.

Every application for an authority to construct, permit to operate or permit to sell or rent required under Rule 10 shall be filed in the manner and form prescribed by the Air Pollution Control Officer, and shall give all the information necessary to enable the Air Pollution Control Officer to make the determination required by Rule 20 hereof.

In addition, every application for an authority to construct any article, machine, equipment or other contrivance that may cause the issuance of air contaminants in excess of 90% of those permitted by Regulation IV hereof, shall be accompanied by an air pollution enviromental impact study, filed in the manner and form prescribed by the Air Pollution Control Officer, describing the impact operation of the proposed article, machine, equipment or other contrivance will have on the air quality of the air basin wherein the article, machine, equipment of other contrivance will have on the air quality of the air basin wherein the article machine equipment or other contrivance will be located.

(2.0) RULE 15.

Annually on the anniversary of the issuance of a permit under Rule 10, the holder of the permit shall pay a renewal fee.

(3.0) RULE 17. Cancellation of Applications.

a. An authority to construct shall expire and the application shall be cancelled two years from the date of issuance of the authority to construct.

b. An application for permit to operate existing equipment shall be cancelled two years from date of filing of the application.

(3.0) RULE 18. Action on Applications.

The Air Pollution Control Officer shall act, within a reasonable time, on an application for authority to construct, permit to operate or permit to sell or rent, and shall notify the applicant in writing of his approval, conditional approval or denial.

(9.0) RULE 19. Provision of Sampling and Testing Facilities.

A person operating or using any article, machine, equipment or other contrivance for which these rules require a permit shall provide and maintain access for such sampling and testing facilities as specified in the permit to construct and operate.

(3.0) RULE 20. Standards for Granting Applications.

a. The Air Pollution Control Officer shall deny an authority to construct or a permit to operate, except as provided in Rule 12, if the applicant does not show that every article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of Sections 24242 or 24243, Health and Safety Code, or of these Rules and Regulations.

b. Before an authority to construct or a permit to operate is granted, the Air Pollution Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extend, quantity or degree of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the authority to construct or permit to operate. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant in writing of the required size, number and location of sampling holes, the size and location of the sampling platform, the access to the sampling platform, and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industry Safety Orders of the State of California.

c. In acting upon a Permit to Operate, if the Air Pollution Control Officer finds that the article, machine, equipment or other contrivance has been constructed not in accordance with the Authority to Construct, he shall deny the Permit to Operate. The Air Pollution Control Officer shall not accept any further application for Permit to Operate the article, machine, equipment or other contrivance so constructed until he finds that the article, machine, equipment or other contrivance bas been reconstructed in accordance with the Authority to Construct.

(2.0) RULE 21. Conditional Approval.

a. The Air Pollution Control Officer may issue an authority to construct or a permit to operate, subject to conditions which will

bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Commencing work under such an authority to construct, or operation under such a permit to operate, shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue an authority to construct or a permit to operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.

b. The Air Pollution Control Officer may issue a permit to sell or rent, subject to conditions which will bring the operation of any article machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Selling or renting under such a permit to sell or rent shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue a permit to sell or rent with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.

(3.0) RULE 22. Denial of Applications.

In the event of denial of an authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer shall notify the applicant in writing of the reasons therefore. Service of this notification may be made in person or by mail, and such service may be proved by the written acknowledgment of the persons served or affidavit of the person making the service. The Air Pollution Control Officer shall not accept a further application unless the applicant has complied with the objections specified by the Air Pollution Control Officer as his reasons for denial of the authority to construct, the permit to operate or the permit to sell or rent.

(2.0) RULE 23. Further Information.

Before acting on an application for an authority to construct or a permit to operate, the Air Pollution Control Officer may require the applicant to furnish additional information, plans or specifications.

(3.0) RULE 24. Applications Deemed Denied.

The applicant may at his option deem the authority to construct, permit to operate or permit to sell or rent denied if the Air Pollution Control Officer fails to act on the application within 30 days after filing, or within 30 days after applicant furnishes the further information, plans and specifications requested by the Air Pollution

Control Officer, whichever is later.

(2.0) RULE 25. Appeals.

Within 10 days after notice, by the Air Pollution Control Officer, of denial or conditional approval of an authority to construct, permit to operate or permit to sell or rent, the applicant may petition the Hearing Board, in writing for a public hearing. The Hearing Board, after notice and a public hearing held within 30 days after filing the petition, may sustain or reverse the action of the Air Pollution Control Officer; such may be made subject to specified conditions.

REGULATION III--FEES

(3.0) RULE 40. Permit Fees

a. Every applicant for an authority to construct or a permit to operate any article, machine, equipment or other contrivance, shall pay in advance a filing fee of $30.00.

b. In addition to the filing fee prescribed herein, every applicant for an authority to construct or a permit to operate shall pay the fee for the issuance of said permit in the amount prescribed in the following schedules, provided, however, that the filing fee shall be applied to the fee prescribed for the issuance of the permit to operate.

c. When the permit is issued, it shall contain or be accompanied by a statement of the fee to be paid therefore. If the fee is not paid within 30 days after the permit is issued, the fee shall be increased by one-half the amount thereof and the Air Pollution Control Officer shall thereupon promptly notify the applicant of the increased fee by mail. If the increased fee is not paid within 60 days after the permit is issued, the application shall be deemed withdrawn and cancelled, the Air Pollution Control Officer shall so notify the applicant by mail, and the permit shall be void.

d. In the event that an authority to construct or a permit to operate is granted by the Hearing Board after denial by the Air Pollution Control Officer, the provisions of paragraph (c) hereof shall apply.

e. If any application for an authority to construct or a permit to operate is cancelled, or if an authority to construct or a permit to operate is denied and such denial becomes final, the applicant shall pay only the filing fee required herein.

f. Where an application is filed for an authority to construct or a permit to operate any article, machine, equipment or other contrivance by reason of transfer of location, and where a permit to operate had previously been granted for such equipment under Rule 10 and no alteration or replacement without permit has been made, the applicant shall pay only the amount of the filing fee required herein. The annual renewal fee at the new location shall be the same as if there had been no change of location and the anniversary date for payment of the renewal fee will remain unchanged.

g. Where an application is filed for an authority to construct or a permit to operate, exclusively involving alterations or

additions resulting in a change to any existing article, machine, equipment or other contrivance holding a permit under the provisions of these Rules and Regulations, the applicant shall be assessed a fee based upon the increase in total horsepower rating, the increase in total fuel consumption expressed in British Thermal Units (BTU) per hour, the increase in electrical energy in kilovolt ampere (KVA) rating, the increase in maximum horizontal inside cross sectional area or the increase in total stationary container capacity resulting from such alterations or additions, as described in the fee schedules contained herein. Where such alteration or addition results in no change or in a decrease in such ratings, the applicant shall pay only the amount of the filing fee required herein. Where a new permit is granted because of alterations or additions to equipment which had previously been granted a permit under Rule 10, the annual renewal fee will be calculated on the basis of the new rating and will continue to be due and payable on the anniversary date of the original permit.

h. In the event that more than one fee schedule is applicable to a permit to operate, the governing schedule shall be that which results in the higher fee.

i. A request for a duplicate permit to operate shall be made in writing to the Air Pollution Control Officer within 10 days after the destruction, loss or defacement of a permit to operate. It should contain the reason a duplicate permit is being requested. A fee of $2.00 shall be charged for issuing a duplicate permit.

j. No state or local governmental agency or public district shall be required to pay any fee under these regulations.

k. It is hereby determined that the estimated cost of issuing permits and of inspections pertaining to such issuance exceeds the fees prescribed.

l. The annaul renewal fee for a permit to operate under Rule 10 shall be one-fourth of an initial permit fee under current fee schedules. If the renewal fee is not paid within 30 days after it becomes due, the fee shall be increased by one-half the amount thereof, and the Air Pollution Control Officer shall thereupon promptly notify the permittee by mail of the increased fee. If the increased fee is not paid within 30 days after such notice, the permit shall be automatically revoked and the Air Pollution Control Officer shall notify the permittee by mail.

m. When permits have been issued to operate movable equipment at two or more locations, only one annual renewal fee will be charged. The anniversary date on which the annual renewal fee will be due will be that noted on the original permit.

n. Where an application is filed for a permit to operate any article, machine, equipment or other contrivance by reason of transfer from one person to another, and where a permit to operate has previously been granted under Rule 10 and no alteration, addition or transfer of location has been made, the applicant shall pay only a $10.00 filing fee.

SCHEDULE 1

ELECTRIC MOTOR HORSEPOWER SCHEDULE

Any article, machine, equipment or other contrivance for which a permit to operate is required and where an electric motor is used as the power supply shall be assessed a permit fee based on the total rated motor horsepower of all electric motors included in any such article, machine, equipment or other contrivance, in accordance with the following schedule:

Horsepower	Fee
Up to and including 5	$ 30.00
Greater than 5 but less than 15	60.00
15 or greater but less than 30	90.00
30 or greater but less than 65	120.00
65 or greater but less than 125	180.00
125 or greater but less than 200	300.00
200 or greater	450.00

SCHEDULE 2

FUEL BURNING EQUIPMENT SCHEDULE

Any article, machine, equipment or other contrivance for which a permit to operate is required and in which fuel is burned, with the exception of incinerators and refuse burners which are covered in Schedule 4, shall be assessed a permit fee based upon the design fuel consumption of the article, machine, equipment or other contrivance expressed in British Thermal Units (BTU) per hour, using gross heating values, in accordance with the following schedule:

BTU Per Hour	Fee
Up to and including 150,000	$ 30.00
Greater than 150,000 but less than 500,000	60.00
500,000 or greater but less than 1,500,000	90.00
1,500,000 or greater but less than 5,000,000	120.00
5,000,000 or greater but less than 15,000,000	180.00
15,000,000 or greater but less than 50,000,000	300.00
50,000,000 or greater	450.00

SCHEDULE 3

ELECTRICAL ENERGY SCHEDULE

Any article, machine, equipment or contrivance for which a permit to operate is required and which uses electrical energy, with the exception of electric motors covered in Schedule 1, shall be assessed a permit fee based on the total kilovolt ampere (KVA) ratings, in accordance with the following schedule:

Kilovolt Amperes (KVA)	Fee
Up to and including 45	$ 30.00
Greater than 45 but less than 145	60.00
145 or greater but less than 450	90.00
450 or greater but less than 1,450	120.00
1,450 or greater but less than 4,500	180.00
4,500 or greater but less than 14,500	300.00
14,500 or greater	450.00

SCHEDULE 4

INCINERATOR AND REFUSE BURNER SCHEDULE

Any article, machine, equipment or other contrivance used to dispose of combustible refuse by burning, for which a permit to operate is required, shall be assessed a permit fee based on the maximum horizontal inside cross sectional areas, in square feet, of the primary combustion chamber, in accordance with the following schedule:

Area in Square Feet	Fee
Up to and including 3	$ 30.00
Greater than 3 but less than 6	45.00
6 or greater but less than 9	75.00
9 or greater but less than 16	120.00
16 or greater but less than 27	150.00
27 or greater but less than 47	225.00
47 or greater but less than 90	300.00
90 or greater	450.00

SCHEDULE 5

STATIONARY CONTAINER SCHEDULE

Any stationary tank, reservoir or other container for which a permit to operate is required shall be assessed a permit fee based on capacities in gallons or cubic equivalent, in accordance with the following schedule:

Gallons	Fee
Up to and including 4,000	$ 30.00
Greater than 4,000 but less than 40,000	45.00
40,000 or greater but less than 400,000	75.00
400,000 or greater but less than 4,000,000	150.00
4,000,000 or greater	225.00

SCHEDULE 6

MISCELLANEOUS SCHEDULE

Any article, machine, equipment or other contrivance requiring a permit to operate which is not included in the preceding schedules shall be assessed a permit fee of $30.00.

(2.0) RULE 42. Hearing Board Fees.

a. Every applicant, petitioner, respondent or intervener in a proceeding before the Hearing Board for a variance, or the extension, revocation or modification of a variance or for an appeal from a denial or conditional approval of an authority to construct or a permit to operate shall pay to the Clerk of the Hearing Board on filing, a fee in the sum of $25.00. It is her determination that the cost of administration of Article 5, Chapter 2, Division 20, Health and Safety Code or Rule 25 of these Rules and Regulations exceeds $25.00 per petition.

(13.0) RULE 44. Charges for Technical Reports.

Information, circulars, reports or technical, and other reports prepared by the Air Pollution Control District when supplied to other governmental agencies or individuals or groups requesting copies of the same may be charged for by the District in a sum not to exceed the estimated cost of preparation and distribution of such documents. All such monies collected shall be turned into the general funds of the said District.

REGULATION IV--PROHIBITIONS

(50.1.2) RULE 50. Ringelmann Chart.

a. A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:

(1) As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(2) of such opacity as to obscure an observer's view of a degree equal to or greater than does smoke described in a (a) (1) above.

b. Except where paragraph a of this rule is applicable, a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:

(1) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(2) of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in (b) (1) above.

c. Paragraph a of this rule shall apply to any article, machine, equipment or other contrivance located in the West-Central Area for which no authority to construct or permit to operate was validly issued and in effect on March 28, 1972. Effective January 1, 1973, paragraph a of this rule shall apply to any article, machine, equipment or other contrivance located in the West-Central Area for which an authority to construct or permit to operate was validly issued and in effect on March 28, 1972.

Effective January 1, 1975, paragraph a of this rule shall apply to that portion of Riverside County not within the West-Central Area.

(50.7) RULE 51. Nuisance.

A person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or which causes or have a natural tendency to cause injury or damage to business or property. (Section 242.43).

(50.1) RULE 52. Particulate Matter - Concentration.

A person shall not discharge into the atmosphere from any source, particulate matter in excess of the concentrations shown in the following table:

VOLUME DISCHARGED CUBIC FEET PER MINUTE CALCULATED AS DRY GAS AT STANDARD CONDITIONS	MAXIMUM CONCENTRATION OF PARTICULATE MATTER ALLOWED IN DISCHARGED GAS--GRAINS PER CUBIC FOOT OF DRY GAS AT STANDARD CONDITIONS	VOLUME DISCHARGED CUBIC FEET PER MINUTE CALCULATED AS DRY GAS AT STANDARD CONDITIONS	MAXIMUM CONCENTRATION OF PARTICULATE MATTER ALLOWED DISCHARGED GAS--GRAINS PER CUBIC FOOT OF DRY GAS STANDARD CONDITION
1000 or less	0.200	20000	0.0635
1200	.187	30000	.0544
1400	.176	40000	.0487
1600	.167	50000	.0447
1800	.160	60000	.0417
2000	.153	70000	.0393
2500	.141	80000	.0374
3000	.131	100000	.0343
3500	.124	200000	.0263
4000	.118	400000	.0202
5000	.108	600000	.0173
6000	.101	800000	.0155
7000	.0949	1000000	.0142
8000	.0902	1500000	.0122
10000	.0828	2000000	.0109
15000	.0709	2500000 or more	.0100

Where the volume discharge falls between figures listed in the table, the exact concentration permitted to be discharged shall be determined by linear interpolation.

The provisions of this rule shall not apply to emissions resulting from the combustion of liquid or gaseous fuels in steam generators or gas turbines.

For the purpose of this rule "particulate matter" includes any material which would become particulate matter if cooled to standard conditions.

This rule shall not apply to any article, machine, equipment or other contrivance for which an authority to construct or permit to operate was validly issued and in effect on May 9, 1972, until January 1, 1973.

(50.0) RULE 53. Specific Air Contaminants.

a. Sulfur Compounds. A person shall not discharge into the atmosphere from any single source within the following areas of Riverside County, sulfur compounds in any state or combination thereof, in excess of the following concentrations at the point of discharge:

1. In the West-Central Area, 0.05 per cent by volume calculated as sulfur dioxide (SO_2).

2. Until December 31, 1974, in portions of Riverside County not within the West-Central Area, 0.2 per cent by volume calculated as sulfur dioxide (SO_2).

3. Effective January 1, 1975, in all portions of Riverside County not within the West-Central Area, 0.15 per cent by volume calculated as sulfur dioxide (SO_2).

b. Fluorine Compounds: Emissions shall be controlled to the maximum degree technically feasible in respect to the process or operation causing such emission, but no emission shall be permissible which may cause injury to the property of others.

(50.1.1) RULE 54. Solid Particulate Matter - Weight.

A person shall not discharge in any one hour into the atmosphere from any source, solid particulate matter in excess of the amount of 0.5 lb. per ton of process weight fed per hour.

For the purposes of this rule "solid particulate matter" includes any material which would become solid particulate matter if cooled to standard conditions.

This rule shall not apply to any article, machine, equipment or other contrivance for which an authority to construct or permit to operate was validly issued and in effect on May 9, 1972, until January 1, 1973.

(Rule 54 is disapproved for sources larger than 62,000 lbs/hr. process weight rate. (CFR 52:227))

(2.0) RULE 55. Exceptions.

The provisions of Rule 50 do not apply to:

a. Smoke from fires set by or permitted by any public officer if such fire is set or permission given in the performance of the official duty of such officer, and such fire in the opinion of such officer is

necessary:

(1) For the purpose of the prevention of a fire hazard which cannot be abated by any other means, or

(2) The instruction of public employees in the methods of fighting fire.

b. Smoke from fires set pursuant to permit on property used for industrial purposes for the purpose of instruction of employees in methods of fighting fire.

c. Agricultural operations in the growing of crops, or raising of fowl or animals.

d. The use of an orchard or citrus grove heater which does not produce unconsumed solid carbonaceous matter at a rate in excess of one (1) gram per minute.

e. The use of other equipment in agricultural operations in the growing of crops, or raising of fowl or animals.

(51.21) RULE 56. Scavenger Plants.

Where a separate source of air pollution is a scavenger of recovery plant, recovering pollutants which would otherwise be emitted to the atmosphere, the Air Pollution Control Officer may grant a permit to operate where the total emission of pollutants is substantially less with the plant in operation than when closed, even though the concentration exceeds that permitted by Rules 53(a). The Air Pollution Control Officer shall report immediately in writing to the Air Pollution Control Boad the granting of any such permit, together with the facts and reasons therefore.

Effective January 1, 1974, this rule shall not apply to sulfur recovery units and sulfuric acid units.

(51.19) RULE 56.1. Sulfur Recovery Units.

Rule 53 to the contrary notwithstanding, after December 31, 1973, a person shall not discharge into the atmosphere from any sulfur recovery unit producing elemental sulfur, effluent process gas containing more than:

(1) 500 parts per million by volume of sulfur compounds calculated as sulfur dioxide.

(2) 10 parts per million by volume of hydrogen sulfide.

(3) 200 pounds per hour of sulfur compounds calculated as sulfur dioxide.

Any sulfur recovery unit having an effluent process gas discharge containing less than 10 pounds per hour of sulfur compounds calculated as sulfur dioxide may dilute to meet the provisions of number (1) above.

(51.18) RULE 56.2. Sulfuric Acid Units.

Rule 53 to the contrary notwithstanding, after December 31, 1973, a person shall not discharge into the atmosphere from any sulfuric acid unit, effluent process gas containing more than:

(1) 500 parts per million by volume of sulfur compounds calculated as sulfur dioxide.

(2) 200 pounds per hour of sulfur compounds calculated as sulfur dioxide.

(51.13) RULE 57. Open Fires. (Revised February 24, 1970).

A person shall not burn any combustible refuse in any open outdoor fire except:

a. When such fire is set by or permitted by any public officer if such fire is set or permission given in the performance of the official duty of such officer, and such fire in the opinion of such officer is necessary:

(1) For the purpose of prevention of a fire hazard which cannot be abated by any other means, or

(2) The instruction of public employees in the methods of fighting fire.

b. When such fire is set pursuant to permit on property used for industrial purposes for the purpose of instruction of employees in methods of fighting fire.

c. When such fire is set between the dates of November 1, and March 31, inclusive, for the purpose of burning of prunings or other agricultural waste produced on the premises in the course of growing asparagus, citrus trees, deciduous fruit and nut trees and vines, or date palms.

d. When such fire is set at County Disposal Areas lacking facilities for burial of refuse, in the following vicinities: Perris, Sun City, Lakeview, Meniffe, Elsinore, Temecula, Anza, Pinyon Flats, Thermal,

Mecca and Blythe.

This rule shall be effective:

(1) On July 1, 1969, in the Air Quality Area A and the West-Central Area.

(2) On January 1, 1970, in the entire County of Riverside.

(51.9) RULE 58. Disposal of Solid and Liquid Wastes.

a. A person shall not burn any conbustible refuse in any incinerator except in a multiple-chamber incinerator as described in Rule 2(p) or in equipment found by the Air Pollution Control Officer in advance of such use to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.

b. A person shall not discharge into the atmosphere from any incinerator or other equipment used to dispose of combustible refuse by burning, having design burning rates of 100 pounds per hour or less, or for which an application for permit is filed before January 1, 1972, particulate matter in excess of 0.25 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO_2) at standard conditions and shall not discharge particles which are individually large enough to be visible while suspended in the atmosphere. Any carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide (CO_2).

c. A person shall not discharge into the atmosphere from any incinerator or other equipment used to dispose of combustible refuse by burning, having design burning rates, greater than 100 pounds per hour, except as provided in paragraph (d) of this rule, particulate matter in excess of 0.1 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard conditions. Any carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO_2).

d. A person shall not discharge into the atmosphere from any equipment whatsoever, used to process combustible refuse, except as provided in subsection (b) of this rule, particulate matter in excess of 0.1 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO_2) at standard conditions. Any carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO_2).

e. Paragraphs b, c and d of this rule shall be effective on January 1, 1974.

(51.16) RULE 462. Organic Liquid Loading. (Replaces Rule 59).

a. Facilities Handling 75,700 liters (20,000 gallons) Per Day or More

(1) A person shall not load organic liquids having a vapor pressure of 77.5 millimeters of mercury (1.5 psia) or greater under actual loading conditions into any tank truck, trailer or railroad tank car from any loading facility having a throughput of 75,700 liters (20,000 gallons) or more in any one day, unless the loading facility is equipped with a vapor collection and disposal system or its equivalent approved by the Air Pollution Control Officer.

(2) Loading shall be accomplished in such a manner that the displaced vapor and air will be vented only to the vapor collection system. Measures shall be taken to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected.

(3) The vapor disposal portion of the vapor collection and disposal system shall consist of one of the following:

(a) An absorber system or condensation system which processes the displaced vapor and recovers at least 90 percent by weight of the vapors and gases from the equipment being controlled.

(b) A vapor handling system which directs the displaced vapors to a fuel gas system.

(c) Other equipment of an efficiency equal to or greater than (a) or (b) if approved by the Air Pollution Control Officer.

b. Facilities Handling Less than 75,700 liters (20,000 gallons) Per Day:

(1) Any facility that was in operation prior to January 9, 1976, that distributes 1,892,500 liters (500,000 gallons) or more of gasoline annually to storage vessels not exempted under Section (c)(1), (c)(2), and (c)(3) of Rule 461, but less than a total of 75,700 (20,000 gallons) of gasoline in any one day shall return the vapors displaced from the delivery vessel back to the stationary storage container.

(2) Any facility in operation prior to January 9, 1976, that distributes less than 75,700 (20,000 gallons) of gasoline in any one day shall be exempt from the provisions of this rule provided that:

(a) Less than 1,892,500 liters (500,000 gallons) per year are distributed to storage vessels, not exempted under Sections (c)(1), (c)(2), and (c)(3) of Rule 461;

(b) All gasoline is loaded into transport vessels through a fill pipe, the discharge opening of which is submerged when the liquid level is 8 centimeters (3.15 inches) above the bottom of the vessel;

(c) The owner or operator of the facility petitions the Air Pollution Control Officer annually for this exemption.

(3) Any such facility constructed or installed on or after January 9, 1976, irrespective of throughput, shall comply with the provisions of Section (b)(1) and shall not be eligible for the exemption in Section (b)(2).

c. Effective Dates.

(1) The owner or operator of any organic liquid loading facility subject to this rule which is installed or constructed on or after January 9, 1976, shall comply with the provisions of this rule at the time of installation.

(2) The owner or operator of any organic liquid loading facility subject to this rule which is operating or in the process of being installed or constructed before January 9, 1976, shall comply with the provisions of this rule by August 1, 1976, and shall comply with the following increments of progress:

(a) By April 1, 1976, submit to the Air Pollution Control Officer a final control plan which describes, as a minimum, the steps that will be taken to achieve compliance with the provisions of this rule.

(b) By May 1, 1976, negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(c) By June 1, 1976, initiate on-site construction or installation of emission control equipment.

(d) By July 1, 1976, complete on-site construction or installation of emission control equipment.

(e) By August 1, 1976, assure final compliance with the provisions of this rule.

(51.16) RULE 60. Oil-Effluent Water Separator.

A person shall not use any compartment of any single or multiple compartment oil-effluent water separator which compartment receives effluent water containing 200 gallons a day or more of any petroleum products from any equipment processing, refining, treating, storing,

or handling kerosene or other petroleum product of equal or greater volatility than kerosene, unless such compartment is equipped with one of the following vapor loss control devices, constructed so as to prevent any emission of hydrocarbon vapors to the atmosphere, properly installed, in good working order, and in operation:

a. A cover totally enclosing the liquid contents, or

b. A floating roof, consisting of a pontoon type, or double-deck type roof resting on the surface of the liquid contents and equipped with a closure seal or seals to close the space between the roof edge and container wall, or

c. A vapor recovery system consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharge, and a vapor disposal system capable of processing such hydrocarbon vapors and gases, or

d. Other equipment of equal efficiency, provided such equipment is submitted to and approved by the Air Pollution Control Officer.

For the purpose of this rule, "kerosene" is defined as any petroleum product, which, when distilled by ASTM standard test Method DS6-56, will give a temperature of 401° F. or less at the 10 percent point recovered.

(51.16) RULE 61. Storage of Petroleum Products.

A person shall not place, store or hold in any stationary tank, reservoir or other container of more than 40,000 gallons capacity any gasoline or any petroleum distillate having vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions unless such tank, reservoir or other container is a pressure tank maintaining working pressures sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere, or is designed and equipped with one of the following vapor loss control devices properly installed, in good working order and in operation:

a. A floating roof, consisting of a pontoon type or double-deck type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. The control equipment provided for in this paragraph shall not be used if the gasoline or petroleum distillate has a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions. All tank gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place.

b. A vapor recovery system, consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharged and a

vapor disposal system capable of processing such hydrocarbon vapors and gases so as to prevent their emission to the atmosphere and with all tank gauging and sampling devices gas-tight except when gauging or sampling is taking place.

c. Other equipment of equal efficiency, provided such equipment is submitted to and approved by the Air Pollution Control Officer.

(2.0) RULE 63. Circumvention.

A person shall not willfully build, erect, install, or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminant to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of Division 20, Chapter 2, of the Health and Safety Code of the State of California or of these Rules and Regulations. This rule shall not apply to cases in which the only violation involved is of Section 24243 of the Health and Safety Code of the State of California, or of Rule 51 of these Rules and Regulations.

(50.2) RULE 64. Sulfur Contents of Fuels.

A person shall not burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions, or any liquid fuel or solid fuel having a sulfur content in excess of 0.5 percent by weight.

The provisions of this rule shall not apply to:

a. The burning of sulfur, hydrogen sulfide, acid sludge or other sulfur compounds in the manufacturing of sulfur or sulfur compounds.

b. The incinerating of waste gases provided that the gross heating value of such gases is less than 300 British Thermal Units per cubic foot at standard conditions and the fuel used to incinerate such waste gases does not contain sulfur or sulfur compounds in excess of the amount specified in this rule.

c. The use of solid fuels in any metallurgical process.

d. The use of fuels where the gaseous products of combustion are used as raw materials for other processes.

e. The use of liquid or solid fuel to propel or test any vehicle, aircraft, missile, locomotive, boat or ship.

f. The use of liquid fuel whenever the supply of gaseous fuel, the burning of which is permitted by this rule, is not physically available to the user due to accident, act of God, act of war, act of the public enemy, or failure of the supplier.

g. The use of other fuels when the atmosphere emission of sulfur compounds in the combustion products is less than that which would be emitted by using a gaseous fuel that complies with this rule.

Every holder of a permit to operate fuel-burning equipment under these Rules and Regulations shall notify the Air Pollution Control Officer in the manner and form prescribed by him, of each interruption in and resumption of delivery of gaseous fuel to his equipment.

(50.2) RULE 64.1. Sulfur Contents of Natural Gas.

A person shall not sell or deliver for pay, natural gas containing sulfur compounds in excess of 15 grains per 100 cubic feet, calculated as hydrogen sulfide at standard conditions.

The provisions of this Rule shall not apply to the use of fuels where the gaseous products of combustion are used as raw materials for other processes.

(12.0) RULE 66. Gasoline Specifications.

a. A person shall not sell or supply for use within the District as a fuel for motor vehicles as defined by the Vehicle Code of the State of California, gasoline having a degree of unsaturation greater than that indicated by a Bromine Number of 30 as determined by ASTM Method D1159-57T modified by omission of the mercuric chloride catalyst.

b. For the purpose of this rule, the term "gasoline" means any petroleum distillate having a Reid vapor pressure of more than four pounds.

(51.21) RULE 67. Reduction of Animal Matter.

A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapors and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

a. Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less than 0.3 seconds, or

b. Processed in such a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (a) above.

A person incinerating or processing gases, vapors, or gas-entrained effluents pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation, devices, as specified in the Authority to Construct or Permit to Operate or as specified by the Air Pollution Control Officer, for indicating temperature, pressure or other operating conditions.

For the purpose of this rule, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.

The provisions of this rule shall not apply to any article, machine, equipment or other contrivance used exclusively for the processing of food for human consumption.

(51.21) RULE 67.1. Operation of Roofing Kettles.

A person shall not operate or use any article, machine, equipment or other contrivance for the heating, melting, or liquifying of roofing asphalt or cool tar pitch unless all gases, vapors, and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

a. Incinerated at a temperature of not less than 1450 degrees Fahrenheit for a period of not less than 0.3 seconds, or

b. Processed in such a manner determined by the Air Pollution Control Officer to be equally or more effective for the purpose of air pollution control than (a) above.

Nothing in this rule, however, shall operate to prevent the charging of any article, machine, equipment or other contrivance with roofing asphalt or cool tar pitch for a period not to exceed three minutes in any one hour.

A person incinerating or processing gases, vapors, or gas-entrained effluents pursuant to this article shall provide, properly install, and maintain in good working order, devices capable of correctly indicating and controlling operating temperatures.

(51.16) RULE 461. Gasoline Transfer and Dispensing. (Replaces Rule 68).

a. Gasoline Transfer Into Stationary Storage Containers

(1) A person shall not transfer or permit the transfer of gasoline from any tank truck, trailer or railroad tank car into any stationary storage container with a capacity of more than 950 liters (251 gallons) unless such container is equipped with a permanent submerged fill pipe and unless 90 percent by weight of the gasoline vapors displaced during the filling of the stationary storage container are prevented from being released to the atmosphere.

(2) The provisions of Section (a)(1) shall be met by either:

(a) The displaced gasoline vapors being processed by a system that includes:

(i) A vapor-tight gasoline fill connector.

(ii) A vapor-tight vapor return line to the delivery vessel of at least 7.6 centimeters (3 inches) nominal diameter.

(iii) A device approved by the Air Pollution Control Officer which will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(iv) The vapor-laden delivery vessel shall be designed and maintained to be in a vapor-tight condition.

(v) The vapor-laden delivery vessel shall be refilled only at facilities equipped with vapor collection and disposal systems as required by Rule 462.

(b) The displaced gasoline vapors and gases are processed by a system approved by the Air Pollution Control Officer and with a minimum recovery efficiency at least equivalent to that of the system described above; or

(c) Transfer is made to a storage container equipped as described in Rule 463.

b. Gasoline Transfer into Vehicle Fuel Tanks.

(1) A person shall not transfer or permit the transfer of gasoline from a stationary container subject to the provisions of Section (a) into any motor vehicle fuel tank of greater than 19 liters (5 gallons) capacity unless 90% by weight of gasoline vapors displaced

during the transfer are prevented from entering the atmosphere. The transfer shall be made through a fill nozzle which:

(a) Is designed and operated to prevent the discharge of gasoline vapors to the atmosphere from the vehicle filler neck and the fill nozzle, and

(b) Is designed and operated to prevent fuel tank overfills and spillage on fill nozzle disconnect, and

(c) Limits the fill rate to a maximum 30 liters (7.9 gallons) per minute.

c. Exemptions.

The provisions of this rule shall not apply to the transfer of gasoline:

(1) Into or from any stationary container having a capacity of 7,570 liters (2,000 gallons) or less which was installed prior to March 5, 1975, if such container is equipped with a permanent submerged fill pipe by March 1, 1977, or into or from any underground storage container installed prior to March 5, 1975, where the fill line between the fill connection and container is offset.

(2) Into or from any stationary container which is used primarily for the fueling of implements of husbandry, as such vehicles are defined in Division 16 (Section 36000, et seq) of the California Vehicle Code, if such container is equipped with a submerged fill pipe by March 1, 1977.

(3) Into or from any stationary container located in the Southeast Desert Air Basin portion of San Bernardino County, the Joshua Tree area, or the Palo Verde area, if such container is equipped with a permanent submerged fill pipe by March 1, 1977, or at the time of container installation if after that date.

(4) Into a motor vehicle from any stationary storage container having a capacity of 950 liters (251 gallons) or less, or from any mobile container used exclusively for refueling of vehicles or aircraft.

(5) Into motor vehicles from any gasoline dispensing facility in existence prior to March 5, 1975, which is located in a structure where the dispensers are at a lower elevation than the bottom of the gasoline storage containers.

(6) Into or from any stationary container installed or under construction prior to January 9, 1976, and located in Riverside or San

Bernardino County which is exclusively receiving gasoline from any loading facility which is exempted under the provisions of Section (b) (2) of Rule 462, if such container is equipped with a permanent submerged fill pipe by March 1, 1977.

d. Other Provisions.

(1) A person shall not install any gasoline storage container with a capacity of more than 950 liters (251 gallons) unless such container meets the provisions of this rule.

(2) Vapor return or vapor recovery systems used to comply with the provisions of this rule shall comply with all safety, fire, weights, and measures, and other applicable codes or regulations. All fill nozzles, pressure-vacuum relief vents and any vacuum-assisted vapor recovery system must be of a type approved for the purpose by a fire and safety testing organization recognized by the fire department having jurisdiction.

e. Definitions.

For purposes of this rule, the following definitions are included:

(1) "Gasoline vapors" means the organic compounds in the displaced vapors including any entrained liquid gasoline.

(2) A "motor vehicle" is any self-propelled vehicle registered for use on the highways.

f. Effective Dates.

(1) The owner or operator of any stationary storage container or gasoline dispensing facility subject to this rule and which is installed or constructed on or after January 9, 1976, shall comply with the provisions of this rule at the time of installation.

(2) The owner or operator of any stationary storage or gasoline dispensing facility subject to this rule which is operating or in the process of being installed or constructed before January 9, 1976, shall comply with the following schedule of increments of progress:

SECTION A (TRANSFER INTO STORAGE CONTAINERS)

Located in County of:	Tank Cap. (gal.)	Submit[1]	Negotiate[2]	Initiate[3]	Complete[4]	Assure[5]
Los Angeles	6,000 or larger	9-15-74	11-15-74	12-1-74	4-1-75	5-1-75
	less than 6,000	1-6-75	4-1-75	6-1-75	2-1-76	5-1-76
Orange	All	9-1-75	11-1-75	12-1-75	6-1-76	7-1-76
Riverside	All	9-1-75	11-1-75	3-1-76	5-1-76	6-1-76
San Bernardino	6,000 or larger	1-1-75	2-15-75	4-1-75	7-1-75	8-1-75
	less than 6,000	8-1-75	11-1-75	12-31-75	2-1-76	5-1-76

SECTION B (DISPENSING INTO VEHICLES)

Located in County of	Tank Cap. (gal.)	Submit[1]	Negotiate[2]	Initiate[3]	Complete[4]	Assure[5]
Los Angeles	6,000 or larger	1-6-75	3-1-75	5-1-75	120 days from C Date[6]	180 days from C Date[6]
	less than 6,000	6-1-75	11-1-75	120 days from C Date	150 days from C Date	180 days from C Date
Orange	All	9-1-75	11-1-75	2-1-76	120 days from C Date	180 days from C Date
Riverside	All	9-1-75	11-1-75	3-1-76	120 days from C Date	150 days from C Date
San Bernardino	6,000 or larger	1-1-75	2-15-75	4-1-75	120 days from C Date	150 days from C Date
	less than 6,000	8-1-75	11-1-75	1-2-76	120 days from C Date	150 days from C Date

(1) Submit to the Air Pollution Control Officer a final control plan which describes at a minimum the steps that will be taken by the source to achieve compliance with the provisions of this Rule.

(2) Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) Initiate on-site construction or installation of emission control equipment.

(4) Complete on-site construction or installation of emission control equipment.

(5) Assure final compliance with the provisions of this Rule.

(6) "C Date" is defined as the date on which The Air Resources Board certifies a gasoline vapor control system in accordance with Section 39068.6 of the Health and Safety Code of the State of California.

(50.4) RULE 69. Organic Solvents.

a. A person shall not discharge more than 15 pounds of organic materials into the atmosphere in any one day from any article, machine, equipment or other contrivance in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured, or heat-polymerized, in the presence of oxygen, unless all organic materials discharged from such article, machine, equipment or other contrivance have been reduced either by at least 85 percent overall or to not more than 15 pounds in any one day.

b. A person shall not discharge more than 40 pounds of organic material into the atmosphere in any one day from any article, machine, equipment or other contrivance used under conditions other than described in Section (a) from employing, applying, evaporating, or drying any photochemically reactive solvent, as defined in Section (k)(1) material containing such solvent, unless all organic materials discharged from such article, machine, equipment or other contrivance have been reduced either by at least 86 percent overall or to not more than 40 pounds in any one day.

c. Any series of articles, machines, equipment or other contrivance designed for processing a continuously moving sheet, web, strip, or wire which is subjected to any combination of operations described in sections (a) or (b) involving any photochemically reactive solvent as defined in section (k), or material containing such solvent, shall be subject to compliance with section (b). Where only non-photochemically reactive solvents are employed or applied, and where any portion or portions of said series of articles, machines, equipment or other contrivances involves operations described in section (a), said portions shall be collectively subject to compliance with section (a).

d. Emissions of organic materials to the atmosphere from the clean-up with photochemically reactive solvents, as defined in section (k), of any article machine, equipment or other contrivance described in sections (a), (b), or (c), shall be included with the other emissions of organic materials from that article, machine, equipment or other contrivance for determining compliance with this rule.

e. Emissions of organic materials to the atmosphere as a result of spontaneously continuing drying of products for the first 12 hours after their removal from any article, machine, equipment or other contrivance described in sections (a), (b), or (c), shall be included with other emissions of organic materials from the article, machine, equipment or other contrivance for determining compliance with this rule.

f. Emissions of organic materials into the atmosphere required to be controlled by sections (a), (b), or (c), shall be reduced by:

(1) Incineration, provided that 90 percent or more of the carbon in the organic material being incinerated is oxidized to carbon dioxide, or

(2) Adsorption, or

(3) Processing in a manner determined by the Air Pollution Control Officer to be not less effective than (1) or (2) above.

g. A person incinerating, adsorbing, or otherwise processing organic materials pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation, devices as specified in the authority to construct or the permit to operate, or as specified by the Air Pollution Control Officer, for indicating temperatures, pressures, rates of flow or other operating conditions necessary to determine the degree and effectivness of air pollution control.

h. Any person using organic solvents or any materials containing organic solvents shall supply the Air Pollution Control Officer, upon request and in the manner and form prescribed by him, written evidence of the chemical composition, physical properties and amount consumed for each organic solvent used.

i. The provisions of this rule shall not apply to:

(1) The manufacture of organic solvents, or the transport or storage of organic solvents or materials containing organic solvents.

(2) The use of equipment for which other requirements are specified by Rules 59,60,61, or 68 or which are exempt from air pollution control requirements by said rules.

(3) The spraying or other employment of insecticides, pesticides or herbicides.

(4) The employment, application, evaporation or drying of saturated halogenated hydrocarbons or perchloroethylene.

j. For the purposes of this rule, organic solvents include diluent and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents.

k. For the purposes of this rule, a photochemically reactive solvent is any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below and which exceeds any of the following individual percentage compositions, limitations, referred to the total volume of solvent:

(1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cycloolefinic type of unsaturation: 5 percent;

(2) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 per cent;

(3) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

l. For the purposes of this rule, organic materials are defined as chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.

(50.4) RULE 70. Architectural Coatings.

a. After January 1, 1970, a person shall not sell or offer for sale for use in the District, in containers of one quart capacity or larger, any architectural coating containing photochemically reactive solvent as defined in Rule 69 (k).

b. After January 1, 1970, a person shall not employ, apply, evaporate or dry in the District any architectural coating, purchased in containers of one quart capacity or larger, containing photochemically reactive solvent, as defined in Rule 69 (k).

c. After January 1, 1970, a person shall not thin or dilute any architectural coating with a photochemically reactive solvent, as defined in Rule 69 (k).

d. For the purposes of this rule, an architectural coating is defined as a coating used for residential or commercial buildings and their appurtenances; or industrial buildings.

(50.4) RULE 71. Disposal and Evaporation of Solvents.

A person shall not during any one day dispose of a total of more than 1 and 1/2 gallons of any photochemically reactive solvent, as defined in Rule 69 (k), or of any material containing more than 1 and 1/2 gallons of any such photochemically reactive solvent by any means which will permit the evaporation of such solvent into the atmosphere.

(51.5) RULE 72. Fuel Burning Equipment.

A person shall not build, erect, install or expand any non-mobile fuel burning equipment unit in the West-Central Area unless the discharge into the atmosphere of contaminants will not and does not exceed any one or more of the following rates:

(1) 200 pounds per hour of sulfur compounds, calculated as sulfur dioxide (SO_2);

(2) 140 pounds per hour of nitrogen oxides, calculated as nitrogen dioxide (NO_2);

(3) 10 pounds per hour of combustion contaminants as defined in Rule 2 (m) and derived from the fuel.

For the purpose of this rule, a fuel burning equipment unit shall be comprised of the minimum number of boilers, furnaces, jet engines or other fuel burning equipment, the simultaneous operations of which are required for the production of useful heat or power.

Fuel burning equipment serving primarily as air pollution control equipment by using a combustion process to destroy air contaminants shall be exempt from the provisions of this rule.

Nothing in this rule shall be construed as preventing the maintenance or preventing the alteration or modification of an existing fuel burning equipment unit which will reduce its mass rate of air contaminant emissions.

(51.7) RULE 72.1. Fuel Burning Equipment - Oxides of Nitrogen.

A person shall not discharge into the atmosphere from any non-mobile fuel burning article, machine, equipment or other contrivance located in the West-Central Area and having a maximum heat input rate of more than 700 million British Thermal Units (BTU) per hour (gross), flue gas having a concentration of nitrogen oxides, calculated as nitrogen dioxide (NO_2) at 3 percent excess oxygen, in excess of that shown in the following table:

NITROGEN OXIDES - PARTS PER MILLION PARTS OF FLUE GAS		
	EFFECTIVE DATE	
Fuel	December 31, 1971	December 31, 1974
Gas	225	125
Liquid or Solid	325	225

Effective January 1, 1975, a person shall not discharge into the atmosphere from any non-mobile fuel burning article, machine, equipment or other contrivance located in any portion of Riverside County not within the West-Central Area and having a maximum heat input rate of more than 1775 million British Thermal Units (BTU) per hour (gross), flue gas having a concentration of nitrogen oxides, calculated as nitrogen dioxide (NO_2) at 3 per cent excess oxygen, in excess of 125 ppm when fired by a gaseous fuel and 225 ppm when fired by a liquid or solid fuel.

(51.5) RULE 72.2. Fuel Burning Equipment - Combustion Contaminants.

a. A person shall not discharge into the atmosphere from any single source within the West-Central Area, combustion contaminants exceeding in concentration at the point of discharge, 0.1 grain per cubic foot of gas calcualted to 12 percent of carbon dioxide (CO_2) at standard conditions, except as provided in Rule 58.

This part shall not apply to any article, machine, equipment or other contrivance for which an authority to construct or permit to operate was validly issued and in effect on March 28, 1972, until January 1, 1975.

b. Effective January 1, 1975, a person shall not discharge into the atmosphere from any single source within Riverside County, combustion contaminants in excess of 0.1 grain per cubic foot of gas calculated to 12 percent carbon dioxide (CO_2) at standard conditions, except as provided in Rule 58.

(51.21) RULE 74. Vacuum Producing Devices or Systems.

A person shall not discharge into the atmosphere more than 3 pounds of organic materials in any one hour from any vacuum producing devices or systems including hot wells and accumulators, unless said discharge has been reduced by at least 90 percent.

This Rule shall become effective on July 1,1972.

(51.21) RULE 75. Asphalt Air Blowing.

A person shall not operate or use any article, machine, equipment or other contrivance for the air blowing of asphalt unless all gases, vapors and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

(a) Incinerated at temperatures of not less than 1400 degrees Fahrenheit for a period of not less than 0.3 second, or

(b) processed in such a manner determined by the Air Pollution Control Officer to be equally, or more effective for the purpose of air pollution control than (a) above. This Rule shall become effective on July 1, 1972.

(50.5) RULE 76. Carbon Monoxide.

A person shall not discharge into the atmosphere carbon monoxide (CO) in concentrations exceeding 0.2 per cent by volume measured on a dry basis.

The provisions of this Rule shall not apply to emissions from internal combustion engines.

This Rule shall become effective on January 1, 1973, for all sources which are either in operation, or under construction under a valid authority to construct on June 13, 1972. This Rule shall be effective for all other sources on June 14, 1972.

REGULATION V

ORCHARD, FIELD OR CITRUS GROVE HEATERS

(1.0) RULE 75. Definition. (Revised March 6, 1967).

"Orchard field crop, or citrus grove heater" means any article, having the least allowable percent of the total amount of solvents, machine, equipment, or other contrivance burning any type of fuel or a solid fuel block composed of petroleum coke burned by an open flame, capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage. The contrivance commonly known as a wind machine is not included.

For the purpose of this regulation "field crops" shall include crops commonly known as "truck crops."

(2.0) RULE 76. Exceptions.

Rules 10, 14, 20, 24, 40, 64, and 65 do not apply to orchard, field, crop, or citrus grove heaters.

(3.0) RULE 77. Permits Required. (Revised March 6, 1967).

Any person erecting, altering, replacing, operating, or using any orchard, field crop, or citrus grove heater, except the replenishment of solid fuel blocks composed of petroleum coke which have been burned with other solid fuel blocks composed of petroleum coke, shall first obtain a permit from the Air Pollution Control Officer so to do. A separate permit shall be obtained for each non-contiguous parcel of land.

(3.0) RULE 78. Application for Permits. (Revised March 6, 1967).

Applications for permits required under Rule 77 shall be on forms prescribed and furnished by the Air Pollution Control Officer and shall contain a statement of the following:

a. Applications.

(1) A legal description, street address, name of legal owner, and number of acres in the orchard(s), field(s), or grove(s).

(2) Name of operator or authorized agent or manager, together with a statement of experience in orchard, field crop, or grove heating.

(3) A statement of each type of heater to be used in the orchard, field, or grove and the numbers thereof.

REGULATION V

ORCHARD, FIELD OR CITRUS GROVE HEATERS

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"Orchard field crop, or citrus grove heater" means any article, having the least allowable percent of the total amount of solvents, machine, equipment, or other contrivance burning any type of fuel or a solid fuel block composed of petroleum coke burned by an open flame, capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage. The contrivance commonly known as a wind machine is not included.

For the purpose of this regulation "field crops" shall include crops commonly known as "truck crops."

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Rules 10, 14, 20, 24, 40, 64, and 65 do not apply to orchard, field, crop, or citrus grove heaters.

(3.0) RULE 77. Permits Required. (Revised March 6, 1967).

Any person erecting, altering, replacing, operating, or using any orchard, field crop, or citrus grove heater, except the replenishment of solid fuel blocks composed of petroleum coke which have been burned with other solid fuel blocks composed of petroleum coke, shall first obtain a permit from the Air Pollution Control Officer so to do. A separate permit shall be obtained for each non-contiguous parcel of land.

(3.0) RULE 78. Application for Permits. (Revised March 6, 1967).

Applications for permits required under Rule 77 shall be on forms prescribed and furnished by the Air Pollution Control Officer and shall contain a statement of the following:

a. Applications.

(1) A legal description, street address, name of legal owner, and number of acres in the orchard(s), field(s), or grove(s).

(2) Name of operator or authorized agent or manager, together with a statement of experience in orchard, field crop, or grove heating.

(3) A statement of each type of heater to be used in the orchard, field, or grove and the numbers thereof.

(4) The Air Pollution Control Officer may require that the applicant furnish other information such as type of fuel intended to be used, method of operation or other information reasonably necessary to effectuate the purposes of these rules.

(5) Each application shall be certified by the applicant and shall be truthfully, accurately and fully completed. An incomplete, inaccurate or uncertified application shall not be accepted.

b. Issuance, duration and renewal of permits.

Each permit issued hereunder shall be effective for a period of one year from November 1 to October 31 of each year, unless sooner revoked or suspended. Applications for renewal shall be made on or before October 31 of each year for citrus grove and field crop heaters and on or before January 31 of each year for deciduous orchard heaters. Permits issued hereunder are not transferable either as to person or location.

c. Fees.

(1) Each application shall be accompanied by a basic fee payable at the time of the filing of the application, in the amount of two dollars ($2.00) for each application, plus an additional fee of one cent (1¢) for each said orchard, field crop or citrus grove heater described in the application but if the orchard, field crop or citrus grove heaters described in the application consist only of solid fuel blocks composed of petroleum coke, only a fee of fifty cents (50¢) per acre, or fraction thereof, shall be paid in addition to the basic fee of two dollars ($2.00).

In the event that an application made for a permit includes both the solid fuel blocks composed of petroleum coke and other types of heaters to be operated on the same parcel of land then the total fees shall consist of two dollars ($2.00) plus one cent (1¢) for each heater described in the application not including solid fuel blocks composed of petroluem coke, but said additional fee shall not be less than fifty cents (50¢) per acre.

In the event any supplemental permit application for altering, replacing, or adding additional heaters is made prior to the next annual renewal date, a fee of one dollar ($1.00) for such supplemental application, plus a fee of one cent (1¢) per heater shall be paid at the time of filing of such supplemental application.

The above fees are for regulation and inspection purposes and upon denial, suspension, or revocation shall not be refundable in whole or in part.

(2) In addition to the above fees, any applicant who applies for an original or renewal permit for citrus grove and field crop heaters after October 31 of any year or for an original or renewal permit for deciduous orchard heaters after January 31 of any year shall pay additional fees, equal to the fees payable upon an application made on or before the stated deadline dates, except that said additional fees shall be waived for an original permit on property acquired by the applicant after October 31 for citrus and field crop heaters, and after January 31 for deciduous orchard heaters.

(3.0) RULE 79. Action on Applications. (Revised March 6, 1967).

The Air Pollution Control Officer shall act on all applications within a reasonable time and shall notify the applicant in writing of the approval or denial of the application.

(3.0) RULE 80. Standards for Granting Permits. (Revised March 6, 1967).

No application shall be approved unless it is shown that the heater described in Rule 77 is so designed or controlled that it will not produce unconsumed solid carbonaceous matter at the rate in excess of one (1) gram per minute. Each permit granted may include the operation conditions under which heaters will be required to be operated under terms of the permit.

(3.0) RULE 81. General Restrictions and Conditions of Permits.

In order to effectuate this regulation, any permit issued hereunder shall be subject to the following restrictions and conditions:

(a) Any burning or lighting of orchard, field crop, or citrus grove heaters pursuant to a permit issued hereunder shall be under the supervision of trained and competent personnel.

(b) Every heater for which a permit is issued hereunder shall be burned and operated at the rates and within the limits established by the Air Pollution Control Officer in order that such heater shall emit the least amount of carbonaceous matter consistent with the efficient operation of such heaters or heating devices.

(c) All orchard, field crop or citrus grove heaters shall be reasonably clean before the issuance of a permit therefore and shall be kept reasonably clean during the effective period of such permit.

(d) All orchard, field crop or citrus grove heaters shall be in good condition and repair before the issuance of a permit pursuant to this regulation and shall be kept in such condition and repair at all times during the effective period of such permit.

(e) Any officer, employee or agent engaged in the enforcement of this regulation shall have the right to enter upon the property of an applicant for a permit, or a permittee, for the purpose of inspecting orchard, field crop or citrus grove heaters, and shall have the right to take and remove any orchard, field crop or citrus grove heater claimed to be in violation of this regulation and to preserve the same as evidence.

(3.0) RULE 83. Denial of Applications.

In the event of denial of the application, the Air Pollution Control Officer shall notify the applicant in writing of the reason therefore. Any denials shall be without prejudice to the applicants filing further application when he has complied with the objections specified by the Air Pollution Control Officer.

(2.0) RULE 84. Appeals.

Within 10 days after service of notice of denial of the application, applicant may file with the Hearing Board a written request for hearing. Procedure thereafter shall be as provided by Regulation VI.

(51.1) RULE 85. Classification of Orchard, Field Crop or Citrus Grove Heaters. (Revised March 6, 1967).

a. Approved types. Permits shall be issued by the Air Pollution Control Officer for the following types of heaters, provided that the same are clean and in good working condition:

(1) Return Stack.
(2) "Diesel" Internal Exchange
(3) Jumbo Cone
(4) Lazy Flame 18" Stack
(5) Lazy Flame 21" Stack
(6) Lemora (Spiral action)
(7) Pipe Line
(8) 7" Straight Stack

The issuance of such permit shall entitle the permittee to use such heaters only in so far, and in such a manner, as is in conformity with the provisions of this regulation, and in no event may the said heater be operated to produce more than one (1) gram of unconsumed solid carbonaceous matter per minute.

The Air Pollution Control Officer shall establish burning rates for each type of approved heater and the permits issued will contain a statement of the burning rate and maximum primary air orifice area within which limits such approved heaters may be operated.

Permits shall be issued for petroleum coke fuels burned without use of a container or other equipment where it has been demonstrated to the satisfaction of the Air Pollution Control Officer that the fuel complies with Rule 80.

b. Undesignated Heaters.

No permits shall be issued for heaters not otherwise designated and approved herein unless the applicant offers satisfactory proof to the Air Pollution Control Officer that such heaters can be effectively operated under field conditions so as to produce less than one (1) gram of unconsumed solid carbonaceous matter per minute. The Air Pollution Control Officer may establish burning rates under which undesignated heaters may be operated.

c. Combination or Altered Heaters.

Any heater composed or assembled out of parts of other types of heaters, or any heater materially altered as to type, design or function shall, for the purpose of this regulation, be considered as undesignated heaters and the applicant shall offer satisfactory proof of its ability to operate effectively under field conditions within the limitation herein set forth. The Air Pollution Control Officer may establish burning rates under which combination or altered heaters may be operated.

(2.0) RULE 86. Prohibitions. (Revised March 6, 1967).

a. These rules prohibit the erecting, altering, replacing, operating or using any orchard, field crop or citrus grove heater which produces unconsumed solid carbonaceous matter at the rate of more than one (1) gram per minute.

b. Open fires for orchard, field crop or citrus grove heating are prohibited, except when the result of the proper operation of an orchard, field crop or citrus grove heater.

c. All types of orchard, field crop or citrus grove heating equipment commonly known or designated as follows:

(1) Bothwell
(2) Buckets
(3) Canco 3-gallon
(4) Canco 5-gallon
(5) Chinn
(6) Citrus Regular, Square Bowl
(7) Citrus with Olsen Stack
(8) Citrus 15" Stack, Square Bowl
(9) Citrus Tall Stack Combination, Square Bowls, No Down Draft, Stacks under 7"

(10) Dunn Short Stack
(11) Garbage Pail
(12) Hamilton Bread Pan
(13) Hamilton Bread Pan with Stack
(14) Hamilton Square Bowl
(15) Hinchcliff
(16) Hy-Lo 148
(17) Hy-Lo No. 148 Special
(18) Hy-Lo 1929
(19) Hy-Lo Double Stack, Round or Square Bowl
(20) Hy-Lo Drum
(21) Hy-Lo Giant
(22) Hy-Lo Giant Jr.
(23) Hy-Lo Hot Blast
(24) Hy-Lo Single Short Stack, Round Bowl
(25) Lampeo Gyradiant
(26) National Baby Cone
(27) National Exchange Model 5½" Stack
(28) National Exchange Model 6"
(29) O'Keefe & Merritt Corrugated
(30) Pheysey Beacon
(31) Smith Evans
(32) Tin Cans
(33) Wheeling

may not be used or operated for the purpose of giving protection from frost damage.

d. The use of rubber tires or any rubber products in any combustible process in connection with any orchard, field crop or citrus grove firing is hereby prohibited.

e. Any new complete orchard, field crop or citrus grove heating equipment of the distilling type erected, operated or used on or after the effective date of these regulations must contain a primary air orifice whose maximum area results in a burning rate at which not more than one (1) gram per minute of unconsumed solid carbonaceous matter is emitted.

f. No heater may be placed, be permitted to be placed or be permitted to remain in any orchard, field crop or citrus grove or in any other place where heaters may be fired to furnish protection from frost damage unless a permit has been issued.

g. The use or operation of any partial assembly of any type heater for the purpose of giving protection from frost damage is hereby prohibited. A permit issued for the use or operation of any type orchard, field crop or citrus grove heater is for the use or operation of a complete heater assembly.

h. Before issuing a permit to operate or use any type orchard, field crop or citrus grove heater the Air Pollution Control Officer may in addition to limiting the maximum primary air orifice area establish minimum specifications for the heater fuel oil.

REGULATION VI

PROCEDURE BEFORE THE HEARING BOARD

(2.0) RULE 95. General.

This regulation shall apply to all hearings before the Hearing Board of Riverside County Air Pollution Control District.

(2.0) RULE 96. Filing Petitions.

Requests for hearing shall be initiated by the filing of a petition in triplicate with the Clerk of the Hearing Board, and the payment of the fee of $15.00 provided for in Rule 42 of these Rules and Regulations, after service of a copy of the petition has been made on the Air Pollution Control Officer, at the County Court House, Riverside, California, and one copy on the holder of the permit or variance if involved. Service may be made in person or by mail, and service may be proved by written acknowledgment of the person served or by the affidavit of the person making the service.

(2.0) RULE 97. Contents of Petitions.

Every petition shall state:

a. The name, address and telephone number of the petitioner, or other person authorized to receive service of notices.

b. Whether the petitioner is an individual, co-partnership, corporation or other entity, and names and addresses of partners if a co-partnership, names and addresses of the managing officers, if a corporation, and the names and addresses of the persons in control if other entity.

c. The type of business or activity involved in the application and the street address at which it is conducted.

d. A brief description of the article, machine, equipment or other contrivance, if any involved in the application.

e. The section or rule under which the petition is filed; that is, whether petitioner desires a hearing:

(1) to determine whether a permit shall be revoked or a suspended permit reinstated under section 24274, Health and Safety Code of the State of California.

(2) for a variance under Section 24292, Health and Safety Code;

(3) to revoke or modify a variance under Section 24298, Health and Safety Code;

(4) to review the denial or conditional granting of an authority to construct or a permit to operate under Rule 25 of these Rules and Regulations.

f. Each petition shall be signed by the petitioner, or by some person on his behalf, and where the person signing is not the petitioner it shall set forth his authority to sign.

g. Petitions for revocation of permits shall allege in addition the rule under which the permit was granted, the rule or section which is alleged to have been violated, together with a brief statement of the facts constituting such alleged violations.

h. Petitions for reinstatement of suspended permits, shall allege in addition the rule under which the permit was granted, the request and alleged refusal which formed the basis for such suspension, together with a brief statement as to why information requested, if any, was not furnished, whether such information is believed by petitioner to be pertinent, and if so, when it will be furnished.

i. All petitions shall be typewritten, double spaced, on legal or letter size paper, on one side of the paper only, leaving a margin of at least one inch at the top and left side of each sheet.

(5.0) RULE 98. Petitions for Variances.

In addition to the matters required by Rule 97, petitions for variance shall state briefly:

a. The section, rule or order complained of.
b. The facts showing why compliance with the section, rule or order is unreasonable.
c. For what period of time the variance is sought and why.
d. The damage or harm resulting or which would result to petitioner from a compliance with such section, rule or order.
e. The requirements which petitioner can meet and the date when petitioner can comply with such requirements.
f. The advantages and disadvantages to the residents of the district resulting from requiring compliance or resulting from granting a variance.
g. Whether or not operations under such variance, if granted, would constitute a nuisance.
h. Whether or not the subject equipment or process is covered by a permit to operate issued by the Air Pollution Control Officer or is covered by a permit under Rule 13 of these Rules and Regulations.

(2.0) RULE 99. Appeal From Denial.

A petition to review a denial or conditional approval of an authority to construct or a permit to operate shall, in addition to the matter required by Rule 97, set forth a summary of his application or a copy thereof and the alleged reasons for the denial or conditional approval and the reasons for the appeal.

(2.0) RULE 100. Failure To Comply With Rules.

The Clerk of the Hearing Board shall not accept for filing any petition which does not comply with these Rules relating to the form filing and service of petitions unless the Chairman or any two members of the Hearing Board direct otherwise and confirm such direction in writing. Such direction need not be made at a meeting of the Hearing Board. The Chairman or any two members, without a meeting, may require the petitioner to state further facts or reframe a petition so as to disclose clearly the issues involved.

(2.0) RULE 101. Answers.

Any person may file an answer within 10 days after service. All answers shall be served the same as petitions under Rule 95.

(2.0) RULE 102. Dismissal of Petition.

The petitioner may dismiss his petition at any time before submission of the case to the Hearing Board, without a hearing or meeting of the Hearing Board. The Clerk of the Hearing Board shall notify all interested persons of such dismissal.

(16.0) RULE 103. Place of Hearing

All hearings shall be held at the place designated by the Hearing Board.

(16.0) RULE 104. Notice of Hearing.

The Clerk of the Hearing Board shall mail or deliver a notice of hearing to the petitioner, the Air Pollution Control Officer, the holder of the permit or variance involved, if any, and to any person entitled to notice under Sections 24275, or 24299, Health and Safety Code.

(2.0) RULE 105. Evidence.

a. Oral evidence shall be taken only on oath or affirmation.

b. Each party shall have these rights; to call and examine witnesses; to introduce exhibits; to cross examine opposing witnesses on any matter relevant to the issues even though that matter was not

covered in the direct examination; to impeach any witness regardless of which party first called him to testify; and to rebut the evidence against him. If respondent does not testify in his own behalf he may be called and examined as if under cross-examination.

c. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions, and irrelevant and unduly repetitious evidence shall be excluded.

(2.0) RULE 106. Record of Proceedings.

A record of all proceedings had before the Hearing Board shall be made. The record shall be prepared in accordance with one of the following methods: 1-A written summary of all the evidence, testimony and proceedings had and presented at the hearing shall be made by a person designated by the Hearing Board for that purpose; or 2-Any interested person, including the District, may at his own cost provide a certified shorthand reporter satisfactory to the Hearing Board who shall prepare a verbatim transcript of all the evidence, testimony and proceedings had and presented at the hearing.

The original and one copy of such transcript, each certified to by the reporter as to its accuracy, shall be filed with the Hearing Board within 30 days from the closing date of the hearing unless required by the Board prior to that time. No matter shall be deemed submitted under this regulation until such transcript has been filed with the Hearing Board unless otherwise ordered by the Hearing Board.

(2.0) RULE 107. Preliminary Matters.

Preliminary matters such as setting a date for hearing, granting continuances, approving petitions for filing, allowing amendments and other preliminary rulings are determinative of the merits of the case may be made by the chairman or any two members of the Hearing Board without a hearing or meeting of the Hearing Board and without notice.

(2.0) RULE 108. Official Notice.

The Hearing Board may take official notice of any matter which may be judicially noticed by the courts of this state.

(2.0) RULE 109. Continuances.

The chairman or any two members of the Hearing Board shall grant any continuance of 15 days or less, concurred in by petitions the Air Pollution Control Officer and by every person who has filed an answer in the action and may grant any reasonable continuance; either case such action may be ex parte, without a meeting of the Hearing Board and without prior notice.

(2.0) RULE 110. Decision.

The decision shall be in writing, served and filed within 15 days after submission of the cause by the parties thereto and shall contain a brief statement of facts found to be true, the determination of the issues presented and the order of the Hearing Board. A copy shall be mailed or delivered to the Air Pollution Control Officer, the petitioner and to every person who has filed an answer or who has appeared as a party in person or by counsel at the hearing.

(2.0) RULE 111. Effective Date of Decision.

The decision shall become effective 15 days after delivery or mail ing a copy of the decision, as provided in Rule 110, or the Hearing Board may order that the decision shall become effective sooner.

(3.0) RULE 113. Lack of Permit.

The Hearing Board shall not receive or accept a petition for a variance for the operation or use of any article, machine, equipment or other contrivance until a permit to operate has been granted or denied by the Air Pollution Control Officer, except that an appeal from a denial of a permit to operate and a petition for a variance may be filed with the Hearing Board in a single petition. A variance granted by the Hearing Board after a denial of a permit to operate by the Air Pollution Control Officer may include a permit to operate for the duration of the variance.

REGULATION VII--EMERGENCIES

(2.0) RULE 150. General.

Notwithstanding any other provisions of these rules and regulations, the provisions of this regulation shall apply within the South Coast Basin as defined in 17 Cal. Adm. Code Section 60104 to the control of emissions of air contaminants during any "alert" stage as provided herein.

(9.0) RULE 151. Sampling Stations.

The Air Pollution Control Officer shall maintain at least 2 permanently located atmospheric sampling stations adequately equipped. These sampling stations shall be continuously maintained at locations designated by the Air Pollution Control Officer. The Air Pollution Control Officer may maintain such additional sampling stations as may be necessary.

(9.0) RULE 152. Air Sampling.

The Air Pollution Control Officer shall establish procedures whereby adequate samplings and analyses of air contaminants will be taken at each of the stations established under Rule 151.

(13.0) RULE 153. Reports.

The Air Pollution Control Officer shall make daily summaries of the readings required by Rule 152. The summaries shall be in such form as to be understandable by the public. These summaries shall be public records and immediately after preparation shall be filed at the main office of the Air Pollution Control District and be available to the public, press, radio, television, and other mass media of communication.

(2.0) RULE 154. Continuing Program of Voluntary Cooperation.

Upon the adoption of this regulation the Air Pollution Control Officer shall inform the public of ways in which air pollution can be reduced and shall request voluntary cooperation from all person in all activities which contribute to air pollution. Civic groups shall be encouraged to undertake campaigns of education and voluntary air pollution reduction in their respective communities. Public officials shall be urged to take promptly such steps as may be helpful to reduce air contamination to a minimum within the areas of their authority. Employers shall be requested to establish car pools. Users of automotive vehicles shall be urged to keep motors in good condition and to plan routes and schedules which will contribute minimum con-

tamination to critical areas of pollution. All industrial, commercial and business establishments which emit hydrocarbons or the air contaminants named in Rule 156 should critically study their operations from the standpoint of air contamination and should take appropriate action voluntarily to reduce air pollution.

(8.0) RULE 155. Declaration of Air Pollution Episodes.

The Air Pollution Control Officer shall declare an "alert," "alarm" or "emergency" in an air basin or an air quality area whenever the concentration of any air pollution contaminant in that area is verified to have reached the concentration set forth in Rule 156. For the purposes of this regulation, "verified" means that the pertinent measuring instrument has been checked over the preceding five minute period and found to be operating correctly.

(8.0) RULE 155.1. Notification of Episode.

Following the declaration of an air pollution episode, the Air Pollution Control Officer shall communicate the declaration of the episode to the following:

a. Local public officials and public safety personnel who have responsibilities or interests in air pollution episodes.

b. The general public.

c. All Air Pollution Control District personnel.

(8.0) RULE 156. Air Pollution Episode Levels.

An air pollution episode shall exist when the following air contaminants reach the designated concentrations in parts per million of air:

	Alert	Alarm	Emergency
Carbon Monoxide	.40 ppm for 1 hr.	100 ppm.	150 ppm.
Sulfur Dioxide	.50 ppm.	5 ppm.	8 ppm.
Oxides of Nitrogen	3 ppm.	5 ppm.	8 ppm.
Ozone	.27 ppm.	.50 ppm.	.80 ppm.

(8.0) RULE 158. Alert Action.

This is a preliminary health hazard alert and shall be declared when an air contaminant has been verified to have reached the standard set forth in Rule 156.

The following action shall be taken upon the calling of an alert:

a. A person shall not burn any combustible refuse at any location within the basin in an open fire.

b. The Air Pollution Control Officer shall, by the use of all appropriate mass media of communication, request the public to stop all unessential use of vehicles in the South Coast Basin and to operate all privately owned vehicles on a pool basis, and shall request all employers to activate employee car pools.

(8.0) RULE 159. End of Air Pollution Episode.

The Air Pollution Control Officer shall delcare the termination of an air pollution episode whenever the concentration of an air contaminant which caused the declaration of such episode has been verified to have fallen below the standards set forth in Rule 156 for the calling of such episode and the available scientific and meteorological data indicates that the concentration of such air contaminant will not immediately increase again so as to reach the standards set forth for such episode in Rule 156. The Air Pollution Control Officer shall immediately communicate the declaration of the termination of the alert in the manner provided in Rule 155.1 for the delcaration of episodes.